

DDI-04644/84

10 AUG  
1984

MEMORANDUM FOR: Director of Central Intelligence

VIA: Deputy Director of Central Intelligence  
Executive Director

FROM: Robert M. Gates  
Deputy Director for Intelligence

SUBJECT: Reply to Letter from Dr. John V. Byrne,  
Administrator of NOAA, Concerning Designation  
of Reciprocating Seabed Mining States

1. Action Requested: Your signature on the attached letter to Dr. John V. Byrne, Administrator of NOAA, acknowledging receipt of his letter of 30 July 1984.

2. Background: The Deep Seabed Hard Minerals Resources Act, signed into law in June 1980, provides a legal framework for US citizens to mine the deep seabed outside the authority of the 1982 Law of the Sea Convention, which declares seabed minerals the common heritage of mankind and claims full control over their exploitation. The United Kingdom, Japan, France, and the Federal Republic of Germany have instituted similar laws.

3. The Administrator of NOAA, in consultation with other Federal agencies, has designated these countries as "reciprocating states" because their seabed mining laws are compatible with that of the US in that they provide for the regulation of seabed miners, the recognition of mining authorizations issued by the United States, and the proscription of interference in other countries' high seas freedoms. The Department of State and NOAA are thus authorized to negotiate agreements with reciprocating states to provide for mutual recognition of mining licenses, resolution of disputes, and cooperation in other aspects of seabed mining.

4. On 3 August 1984, the United States, the four reciprocating states, and Belgium, Italy, and the Netherlands signed such an agreement--the Provisional Understanding Regarding Deep Seabed Matters. The latter three countries are in varying stages of preparing national seabed mining legislation and are expected to be designated reciprocating states when they enact such laws.

[Redacted Signature Box]

Robert M. Gates

Attachment:  
As stated

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